

THIRTY-SECOND DAY

Wednesday, March 18, 1998

The Senate of the Nineteenth Legislature of the State of Hawaii, Regular Session of 1998, convened at 11:39 o'clock a.m. with the President in the Chair.

The Divine Blessing was invoked by Pastor Klayton Ko, First Assembly of God Church, Moanalua, after which the Roll was called showing all Senators present with the exception of Senator Bunda who was excused.

The President announced that he had read and approved the Journal of the Thirty-First Day.

The following introductions were made to the members of the Senate:

Senator Tam introduced the 1998 Miss Chinatown Queen Jodie Mei Lynn Ching, First Princess Katherine Mei Lynn Mow, and Second Princess Linda Yuk Ang Au.

Senator Sakamoto then introduced Stanford Yuen and congratulated him on being selected by the Hawaii Society of Professional Engineers as the 1998 Engineer of the Year. Accompanying Mr. Yuen was his wife, Lynette.

At this time, the President invited Miss Chinatown Queen Jodie Ching to address the members of the Senate and appointed Senators Chun Oakland, Tam and Aki to escort her to the podium.

Queen Jodie addressed the members of the Senate as follows:

"Thank you, Senator Tam, for the nice introduction.

"On behalf of the Chinatown Merchants of Hawaii and the Chinese community, I would like to wish you all happiness in the Year of the Tiger.

"It is an honor for Kathy, Linda and me to be here today. We all share a common goal here and that is to improve our great State of Hawaii. And we are very grateful for your support."

At 11:53 o'clock a.m., the Senate stood in recess subject to the call of the Chair.

The Senate reconvened at 12:00 o'clock noon.

SENATE CONCURRENT RESOLUTIONS

The following concurrent resolutions (S.C.R. Nos. 121 to 134) were read by the Clerk and were deferred:

Senate Concurrent Resolution

No. 121 "SENATE CONCURRENT RESOLUTION CALLING ON THE CITY OF PROVIDENCE, RHODE ISLAND TO REPATRIATE THE KI'I LA'AU TO THE HAWAIIAN PEOPLE."

Offered by: Senator Solomon.

No. 122 "SENATE CONCURRENT RESOLUTION URGING THE BOARD OF EDUCATION TO EXPEDITIOUSLY RENOVATE THE THELMA PARKER MEMORIAL PUBLIC AND SCHOOL LIBRARY AT WAIMEA, HAWAII."

Offered by: Senator Solomon.

No. 123 "SENATE CONCURRENT RESOLUTION APPROVING THE WITHDRAWAL OF LAND FROM THE OPERATION OF GOVERNOR'S EXECUTIVE ORDER NO.

1529, DATED OCTOBER 1, 1952, TO THE CITY AND COUNTY OF HONOLULU, BOARD OF WATER SUPPLY AND THE TRANSFER OF CERTAIN PUBLIC LANDS AT KALAWAHINE, HONOLULU, OAHU TO THE DEPARTMENT OF HAWAIIAN HOME LANDS."

Offered by: Senator Solomon.

No. 124 "SENATE CONCURRENT RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT."

Offered by: Senators Baker, Fernandes Salling, Solomon, Chun Oakland, Fukunaga, Matsunaga, McCartney, Chumbley.

No. 125 "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY."

Offered by: Senators Baker, Fernandes Salling, Solomon, Chun Oakland, Fukunaga.

No. 126 "SENATE CONCURRENT RESOLUTION ESTABLISHING A STATE POLICY FOR IMPROVING THE WELL-BEING OF CHILDREN, YOUTH, AND FAMILIES."

Offered by: Senators Chun Oakland, Kanno, Ige, D., Levin.

No. 127 "SENATE CONCURRENT RESOLUTION REQUESTING A TASK FORCE TO STUDY THE QUEST MEDICAL INSURANCE PROGRAM."

Offered by: Senators Chun Oakland, Kanno, Levin.

No. 128 "SENATE CONCURRENT RESOLUTION CREATING A TASK FORCE TO REVIEW PRIVATELY-OWNED THRILLCRAFT SAFETY AND THE FEASIBILITY OF REGISTRATION AND CERTIFICATION."

Offered by: Senator Matsunaga.

No. 129 "SENATE CONCURRENT RESOLUTION REQUESTING THE COUNTY EXAMINERS OF DRIVERS TO ADOPT PROCEDURES TO ALLOW TEMPORARY STAYS OF LICENSE REVOCATION FOR FAILURE TO HAVE NO-FAULT AUTOMOBILE INSURANCE."

Offered by: Senator Levin.

No. 130 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF THE AVAILABILITY OF CITIZEN'S SUIT UNDER THE FEDERAL AND OTHER JURISDICTIONS' ENDANGERED SPECIES LAWS."

Offered by: Senator Levin.

No. 131 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON UNISEX TOILET FACILITIES FOR PERSONS REQUIRING ASSISTANCE."

Offered by: Senator Levin.

No. 132 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY RELATING TO PENAL RESPONSIBILITY."

Offered by: Senators Matsunaga, Chumbley.

No. 133 "SENATE CONCURRENT RESOLUTION REQUESTING A STUDY ON THE EFFECTS OF PROSTITUTION IN WAIKIKI."

Offered by: Senators Matsunaga, Chumbley.

No. 134 "SENATE CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR 'ANO'ANO ALOHA, A HAWAIIAN CHARITABLE NONPROFIT ORGANIZATION DEDICATED TO PRESERVING AND PROPAGATING ORGANIC NATIVE PLANTS AND IMPROVING CONDITIONS FOR NATIVE HAWAIIANS AND HAWAII'S COMMUNITIES, AND REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO MAKE ITS RESOURCES AVAILABLE TO THAT ORGANIZATION AS NEEDED."

Offered by: Senators Bunda, Iwase, Solomon.

SENATE RESOLUTIONS

The following resolutions (S.R. Nos. 58 to 62) were read by the Clerk and were deferred:

Senate Resolution

No. 58 "SENATE RESOLUTION REQUESTING THE AUDITOR TO ASSESS THE SOCIAL AND FINANCIAL EFFECTS OF REQUIRING HEALTH INSURERS TO OFFER COVERAGE FOR POST-MASTECTOMY BREAST RECONSTRUCTION SURGERY."

Offered by: Senators Baker, Fernandes Salling, Solomon, Chun Oakland, Fukunaga.

No. 59 "SENATE RESOLUTION REQUESTING THE COLLECTION OF DATA RELATING TO SEXUAL HARASSMENT IN STATE AGENCIES AND A PROPOSED EDUCATIONAL TRAINING PROGRAM FOR STATE AGENCY DIRECTORS AND MANAGEMENT."

Offered by: Senators Baker, Fernandes Salling, Solomon, Chun Oakland, Fukunaga, Matsunaga, McCartney, Chumbley.

No. 60 "SENATE RESOLUTION CREATING A TASK FORCE TO REVIEW PRIVATELY-OWNED THRILLCRAFT SAFETY AND THE FEASIBILITY OF REGISTRATION AND CERTIFICATION."

Offered by: Senator Matsunaga.

No. 61 "SENATE RESOLUTION REQUESTING THE COUNTY EXAMINERS OF DRIVERS TO ADOPT PROCEDURES TO ALLOW TEMPORARY STAYS OF LICENSE REVOCATION FOR FAILURE TO HAVE NO-FAULT AUTOMOBILE INSURANCE."

Offered by: Senator Levin.

No. 62 "SENATE RESOLUTION REQUESTING A STUDY ON UNISEX TOILET FACILITIES FOR PERSONS REQUIRING ASSISTANCE."

Offered by: Senator Levin.

STANDING COMMITTEE REPORT

Senators Tanaka and Taniguchi, for the Committee on Economic Development, presented a report (Stand. Com. Rep.

No. 2781) recommending that the Senate advise and consent to the nominations of JACK ENDO and RANDOLPH G. MOORE to the Barbers Point Naval Air Station Redevelopment Commission, in accordance with Gov. Msg. No. 136.

In accordance with Senate Rule 36(6), action on Stand. Com. Rep. No. 2781 and Gov. Msg. No. 136 was deferred until Thursday, March 19, 1998.

ORDER OF THE DAY

FINAL READING

Conf. Com. Rep. No. 51 (H.B. No. 1488, H.D. 2, S.D. 1, C.D. 1):

On motion by Senator Chun Oakland, seconded by Senator Kanno and carried, Conf. Com. Rep. No. 51 was adopted and H.B. No. 1488, H.D. 2, S.D. 1, C.D. 1, entitled: "A BILL FOR AN ACT RELATING TO FAMILY CHILD CARE HOMES," having been read throughout, passed Final Reading on the following showing of Ayes and Noes:

Ayes, 23. Noes, none. Excused, 2 (Bunda, Fernandes Salling).

REFERRAL OF SENATE CONCURRENT RESOLUTIONS

The President made the following committee assignments of concurrent resolutions that were offered on Tuesday, March 17, 1998:

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| Senate
Concurrent
Resolution | Referred to: |
| No. 103 | Jointly to the Committee on Economic Development and the Committee on Water, Land, and Hawaiian Affairs, then to the Committee on Ways and Means |
| No. 104 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 105 | Jointly to the Committee on Economic Development and the Committee on Education, then to the Committee on Ways and Means |
| No. 106 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 107 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 108 | Committee on Economic Development, then to the Committee on Ways and Means |
| No. 109 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means |
| No. 110 | Committee on Government Operations and Housing, then to the Committee on Ways and Means |
| No. 111 | Committee on Education, then to the Committee on Ways and Means |
| No. 112 | Committee on Education, then to the Committee on Ways and Means |
| No. 113 | Committee on Ways and Means |
| No. 114 | Committee on Transportation and Intergovernmental Affairs, then to the Committee on Ways and Means |

No. 115 Committee on Education, then to the
Committee on Transportation and Intergovernmental Affairs

REFERRAL OF SENATE RESOLUTIONS

The President made the following committee assignments of resolutions that were offered on Tuesday, March 18, 1998:

Senate
Resolution Referred to:

No. 48 Committee on Transportation and
Intergovernmental Affairs, then to the Committee on Ways and
Means

No. 49 Committee on Government Operations
and Housing, then to the Committee on Ways and Means

No. 50 Committee on Education, then to the
Committee on Ways and Means

No. 51 Committee on Ways and Means

No. 52 Committee on Transportation and
Intergovernmental Affairs, then to the Committee on Ways and
Means

RE-REFERRAL OF HOUSE BILLS

The Chair re-referred the following House bills that were received:

House Bill Referred to:

No. 2790, H.D. 1 Committee on Ways and Means

No. 2865, H.D. 2 Committee on Health and Environment,
then to the Committee on Ways and Means

No. 3065, H.D. 2 Committee on Health and Environment,
then to the Committee on Ways and Means

**RE-REFERRAL OF
SENATE CONCURRENT RESOLUTION**

The Chair re-referred the following Senate concurrent resolution that was offered:

Senate
Concurrent
Resolution Referred to:

No. 88 Committee on Transportation and
Intergovernmental Affairs

**RE-REFERRAL OF
SENATE RESOLUTION**

The Chair re-referred the following Senate resolution that was offered:

Senate
Resolution Referred to:

No. 40 Committee on Transportation and
Intergovernmental Affairs

Senator Matsunaga, for the Committee on Judiciary, requested a waiver to Senate Rule 20 on H.B. Nos. 2709, 2992 and 3031, and the Chair granted the waiver.

ADJOURNMENT

At 12:02 o'clock p.m., on motion by Senator Ihara, seconded by Senator Slom and carried, the Senate adjourned until 11:30 o'clock a.m., Thursday, March 19, 1998.